

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Darois et al.  
Serial No.: 09/900707  
Confirmation No.: 4890  
Filed: July 6, 2001  
For: PROSTHETIC REPAIR FABRIC  
Examiner: David A. Bonderer  
Art Unit: 3732

RECEIVED  
SEP 28 2005

OFFICE OF PETITIONS

**CERTIFICATE OF HAND DELIVERY 37 C.F.R. §1.6(c)**  
The undersigned hereby certifies that this document and the listed enclosures were hand-delivered to United States Patent and Trademark Office, OFFICE OF PETITIONS, 600 Dulany Street, 7<sup>th</sup> Floor of the Madison West Building, Alexandria, VA 22313-1450, on the date shown below.

Dated: 9/28/05

Signature: KShaefer

**PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 C.F.R. §1.313(c)**

United States Patent and Trademark Office  
OFFICE OF PETITIONS  
600 Dulany Street  
7<sup>th</sup> Floor of the Madison West Building  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions to withdraw this application from issuance after payment of the issue fee under 37 C.F.R. §1.313(c)(2). The withdrawal from issue is requested to permit consideration of the accompanying Request for Continued Examination (RCE) under 37 C.F.R. §1.114 and Information Disclosure Statement (IDS) with PTO Form 1449 enclosed herewith.

The issue fee was timely submitted on December 23, 1994. A Response to Notice of Allowance was subsequently submitted for consideration on January 6, 2005. Prompt attention to this Petition is respectfully requested.

10/03/2005 AKELLEY 0000003 09900707

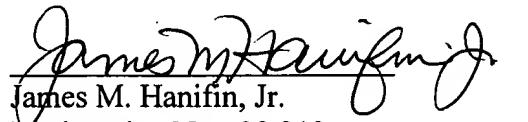
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130.00 0P

The Office is respectfully requested to contact the undersigned at the number given below should additional information be required to advance consideration of this Petition.

Dated: September 27, 2005

Respectfully submitted,



James M. Hanifin, Jr.

Registration No.: 39,213

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

(617) 646-8000

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**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

**Send completed form to:**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

|                        |                               |
|------------------------|-------------------------------|
| Application Number     | 09/900707-Conf. #4890         |
| Filing Date            | July 6, 2001                  |
| First Named Inventor   | Darois et al. <b>RECEIVED</b> |
| Art Unit               | 3732 <b>SEP 28 2005</b>       |
| Examiner Name          | David A. Bonderer             |
| Attorney Docket Number | D0188.701260500               |

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees).

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 23/2825:  
 Petition fee under 37 CFR 1.17(f), (g) or (h)  Any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$ 130.00 is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

§ 1.53(e) – to accord a filing date.  
 § 1.57(a) – to accord a filing date.  
 § 1.182 – for decision on a question not specifically provided for.  
 § 1.183 – to suspend the rules.  
 § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.  
 § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

§ 1.12 – for access to an assignment record.  
 § 1.14 – for access to an application.  
 § 1.47 – for filing by other than all the inventors or a person not the inventor.  
 § 1.59 – for expungement of information.  
 § 1.103(a) – to suspend action in an application.  
 § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.  
 § 1.295 – for review of refusal to publish a statutory invention registration.  
 § 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.  
 § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.  
 § 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.  
 § 1.956 – for patent owner requests for extension of time in inter partes reexamination proceedings.  
 § 5.12 – for expedited handling of a foreign filing license.  
 § 5.15 – for changing the scope of a license.  
 § 5.25 – for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

§ 1.19(g) – to request documents in a form other than that provided in this part.  
 § 1.84 – for accepting color drawings or photographs.  
 § 1.91 – for entry of a model or exhibit.  
 § 1.102(d) – to make an application special.  
 § 1.138(c) – to expressly abandon an application to avoid publication.  
 § 1.313 – to withdraw an application from issue.  
 § 1.314 – to defer issuance of a patent.

  
 Signature

James M. Hanifin, Jr.  
 Typed or printed name

9/27/05  
 Date

39,213  
 Registration No., if applicable

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